UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:14-cv-00433-FDW-DCK

MICHAEL EUGENE OWENS,)
Plaintiff,)))
vs.)
) ORDER
DILLARDS)
Defendant.)))

THIS MATTER is before the Court after Plaintiff's Motion for Sanctions (Doc. 40) and Defendant's Response (Doc. 41). For the foregoing reasons, Plaintiff's Motion is DENIED.

This is a pro se employment discrimination action in which plaintiff alleges that he was wrongfully terminated from his employment at Dillard's based on his race. The Court previously enforced the arbitration clause in Plaintiff's employment contract and ordered the parties to proceed to arbitration. After a delay in commencing the arbitration process, the Court held a telephone conference with Plaintiff and counsel for the defense, Michael Wade, and urged the parties to proceed to arbitration immediately. Since then, the Court has been notified that the parties have chosen an arbitrator, who has agreed to serve.

Plaintiff's Motion for Sanctions is devoid of any specific allegations of wrongdoing on the part of Defendants that could serve as a basis for sanctions. Further, he has not provided any evidence of specific relief he seeks or why that relief is appropriate. Assuming <u>arguendo</u> that Plaintiff filed his motion for sanction because of delays in selecting an arbitrator, the Court finds that because an arbitrator has been selected and an initial scheduling conference has been scheduled, the motion for sanctions is moot.

The Court also finds that Plaintiff's other outstanding motions, the Motion to Proceed to Court Action (Doc. No. 37) and the Motion for Extension of Court order (Doc. No. 39) are also MOOT, because the parties have proceeded to arbitration, and therefore DENIED as such.

For the foregoing reasons, Plaintiff's Motion to Proceed to Court Action, Motion for Extension of Court Order, and Motion for Sanctions are DENIED. The Clerk is respectfully directed to mail a copy of this order to Plaintiff Michael Owens, 7711 Saint Moritz Lane, Charlotte, NC, 28226.

IT IS SO ORDERED.

Signed: July 8, 2015

Frank D. Whitney

Chief United States District Judge